



Testimonies of Crimes Against Humanity in Fallujah

Towards a Fair International Criminal Trial



15th Session of the Human Rights Council

United Nations, Geneva, 13 September - 1 October 2010

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CCERF is recorded in Iraqi Ministry of planning & International cooperative under
No. 1Z2129

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**To / High Commissioner of Human Rights of United Nations & The
Office of Special Procedures of the Human Rights Council of UN**

20-9-2010

Your Excellency

Followings upon our previous reports and submitted statements concerning what has happened and continue to happen in the City of Fallujah, Iraq. We wish to draw your attention to the deteriorating situation.

From the outset and at the start of the indiscriminate and merciless campaign of collective punishment and wilful destruction, undertaken by the occupational troops of the United States of America, and inflicted upon the innocent defenceless civilians in Fallujah Most of which commenced in 2003 and since.,

The inhumane siege and indiscriminate killing that occurred in the First Incursions of Fallujah,(4/4/2004 to 5/5/2004).The genocidal massacres commenced with sustained and targeted bombing campaign, aimed directly at the homes of defenceless civilians, resulting in the killing and maiming of dozens of them, all carried out, under the false pretext of “pursuing the leaders of the resistance”, they then, proceeded to prepare the media and political establishments, for a second massacre in September 2004 the operation, seized in November 2004, as in the first incursions, has again resulted in the deaths of thousands more innocent, defenceless civilian victims, killed, wounded, now missing, or were displaced

At that time, peace proposals, were set out and outlined in an open letter, the proposals were drawn by the interim government of Mr. Iyad Allawi those proposals were then submitted to Mr. Kofi Annan, the former General Secretary of the United Nations, these were summarily dismissed and completely ignored, denying the chance and opportunity for a sustained peaceful resolution. As you are fully aware, no doubt, all these actions and acts, by the US, constitute deliberate war crimes and violations contrary with the charters and aims of the Geneva Conventions and in complete violation of International humanitarian laws.

We have no wish or desire to reiterate the principles of international justice, upon which the Organization of the United Nations was established, or the common basis and objectives, that applies any time and place, the clear definitions and meanings of crimes and violations, remains the same and applies to the entire human race, including all human rights activists. We humbly ask you, through your offices and that of the Special Procedures for the Human Rights Council to examine the deliberate perpetrated violations and crimes, contained in the attached report and to apply same moral, legal obligations and responsibilities, that prompted the creation of the United Nations, and investigate the crimes using the same criteria as were applied to other countries, such as Rwanda and the Kosovo, they were just as heinous.

To view all forms of injustices, as abhorrent acts, contrary to the aims and goals expected from the application of civilized universal justice that are contrary to what unites the human race as a civilized community, expected every human being mission's on earth, deserves to be afforded same degree of respect and in accordance with all heavenly religions, and international laws on which the United Nations was established, plead and implore you, state that the very least action that can you undertaken would be to express the respect for the memory of the defenceless victims, to investigate the crimes and violations contained, not only in this report, but all what has been inflicted upon Iraq, placing the country at the top of the world's daily list for deaths and the numbers of displaced persons, both internally and externally, not to mention the ensuing savage corruption, child molestation, rape, rampant kidnapping, all contrary to the noble goals and the foundations of your organisation

In anticipation of your response, please accept my sincere thanks and appreciation,

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The city of Fallujah :

In 2003, after the fall of the capital Baghdad following the US lead invasion, Fallujah¹ remained calm and, and contrary to what happened elsewhere, there was no looting. But the policy pursued by the US – UK of indiscriminate killing of civilians and of collective punishment, generated resistance in the whole area. In order to eradicate the resistance that got underway, in and around Fallujah, the invading forces attacked the city and the crimes committed in the course of these attacks are the subject of the present report.

Examples of the policy of collective punishment in the city of Fallujah

1.The killing of the participants of peaceful demonstrations:

On the 23rd of April 2003, few days after the US forces occupied Baghdad, a group of students in Fallujah went on peaceful demonstrators in front of a Al-Qaed school in the Nazzal neighbourhood, to protest taking the school as abase for the troops. The US forces fired indiscriminately on them leaving 13 dead and 75 wounded.

The US soldiers also shot the medical staff who tried to rescue the injured (testimony of Dr. Ahmed Ghanim Al- Ali, the director of the hospital at the time. See annex). Among the dead were three children under the age of 11. On the 1st of April, US forces opened fire on civilians at a bakery. On 30th of April 2003, US soldiers opened fire on a funeral, killing two civilians and wounding 14 others, children among them (see the testimony of the journalist Chris Huges).

¹ - Fallujah is a city rooted in history, located some 45 km to the west of the capital Baghdad . It has a population of more than 350000 inhabitants and is at the crossroad of three rural areas that total 300000 inhabitants, which brings the overall population of the area of Fallujah to 650000 people The population of Fallujah is conservative as regards social, religious, traditional and tribal issues



2. The provocation and killing of the protection force and police forces of Fallujah

This crime was perpetrated by the private security company Blackwater and U.S. forces. In the night of the 11th of September 2003, individuals driving a blue BMW opened fire on the office of the mayor of Fallujah. The Fallujah Protection Force (That force was formally created by the mayor and included well experienced people) - who was joined by two police patrols- chased the car on the old road towards Baghdad. The car entered the U.S. camp located 3-4 km outside the city. The pursuers returned

to Fallujah a 12 p.m. under heavy fire. The US forces fired directly at the wheel of the car carrying the Fallujah Protection Force. This incident killed 8 people of the Fallujah protection force and wounded and other two

The Iraqi forces did not return fire. In spite of the Iraqis identifying themselves as members of the police, the American soldiers killed them there and then. Ambulance services were fired upon and prevented from assisting the victims.

Some of the Iraqis remained at some distance until sunrise when U.S. troops started to collect the dead and wounded and the destroyed trucks. Many of the eight victims died because of lack of care. The Americans left two wounded behind, believing them dead (see below the victims names)².

After the intervention of the Fallujah mayor, Mr. Taha Bedawy and repeated interventions by other officials of Fallujah, the US military handed over the eight bodies that had been left in the back of crushed vehicles in the burning sun . The wounded, besides the damage to their bodies, were psychologically traumatised.

² - **The victims killed are:** 1. Lieutenant Omar Ismail Mazer 2. Nursery owner of DLF-Issawi 3. Waleed Jassim Mohammed al-Samarrai 4. Adnan Ammar Ali Kubaisi 5. Ahmed Mohammed Jassim Issawi Srih 6. Faryad Nazim Hamid 7. Sabah Ali Ibrahim al-Issawi 8. Rahman Ahmed Khalaf Issawi. The wounded are: 1. Lt. Issam Ahmed Hussein 2. BSC Mohamed Abdel Mjbas 3. BSC Asim Mohamed Ahmed 4. BSC Staff Adnan Ahmed 5. Abdul Jalil Abdul Muhammad 6. Alaa Hashem Ahmed who was killed later by terrorists 7. Wissam Mohammad Ftikhan



Photos of some of the dead martyrs. 1) Sabah Ali Ibrahim, 2) Riad Malik Dalaf, 3) Rahman Ahmed Khalaf

Three months after the incident, the U.S. forces merged the Fallujah protection force with the Fallujah police, even though the former played a crucial role in maintaining law and order

At the beginning of February 2004, elected members of the City Council of Fallujah (December 2003 - June 2004), attended a meeting with the U.S. forces at their military base near Fallujah. The meeting was attended by Americans and by some people wearing civilian clothes and the Iraqi Arab scarf. The Americans were part of the private security contractors and the representatives of the administration of Paul Bremer in Fallujah. The Americans wanted to recruit Iraqi agents for protection. This proposition was rejected on the ground that, according to the Geneva Conventions, the responsibility of the security of Iraqis, lies with the occupying power. The Americans were told that the people of Fallujah did not need the protection of US forces if the police forces could get supplied with adequate equipment and weapons.

Outside the tent where the meeting was held, we saw new civilian cars, some were BMW driven by members of the company Blackwater, which confirmed that the unknown car that caused the incident mentioned above, came from them. This prompted the question as to why they fired on the building of the local administration at midnight. To be noted that the Americans had replaced the paratroopers stationed in Fallujah before four security agents of Blackwater were killed

3. Arbitrary arrests and torture

The U.S military pursued an aggressive policy against the Iraqi resistance, in particular the people of Fallujah. This included arbitrary arrests. The testimonies by some of the victims (Please see annex) tell of systematic torture. Those arrested also made allegation of a policy of humiliation.

The U.S. military and the private security companies have to take responsibility for these centres and for what happened within their walls since they trained and supervised the perpetrators, under the pretext of combating terrorism.

One of the crimes happen near to my neighbors, whereas a very big American force formed of marines airdrop soldiers, carrier helicopter Chinook, apache helicopters supported with tanks, hammer and armored humvee vehicles and a big number of the marines soldiers accompanied with strange persons (According to the neighborhood families evidences) seen for the first time in Falluja that they were with beards and accompanied with very dangerous dogs broke into the house of Mr. Najim Abdul-Ilah Al-Mashhadani in Al-Shorta neighborhood in Falluja town at dawn of Sunday, 18. June. 2006 to spread panic and terrorism in the hearts of people in the nearby area using a big force that's enough to break into a town but not a small neighborhood! It started with exploding the outer door and ask the young man Sinan to show the badge to identify himself and he did showed his ID (The Americans did it to all Falluja people to use it in going out and coming into Falluja) to assert that he's Sinan, but they shot him dead with a hail of bullets and pulled him on the floor of the house after arresting the rest of the family in one of the rooms. The martyr Sinan was

22 (Twenty two) years old, a student in the third stage in Al-Mustansiria university and carried out the sustenance for a family formed of a young brother (13 years old), sister and a sick mother, and to your knowledge, his father was a martyr because of the civilians bombardment in the first American military operation against Falluja in April, 2004.

The American force took the 13 years old child (Ameen) with badly hitting to his small weak body and the dogs around him biting his hands while they put the curtains and sheets and mattresses over the martyr's body Sinan that even his family thought that he's arrested with his young brother Ameen but for the neighbors tried to arrange the messed up and broken things in the house to find the body of Sinan between the sheets and curtains!

Three days after the arresting, Ameen Najum Abdullah (11years), the boy talked about the non human treatment by the beard men who were wearing ear rings, by attacking him and scaring him with a dog which was left to attack the child Ameen to bite him three times in his left hand to deform the hand.

The brutality of that American force didn't even stop to that family but crossed to the neighbors and the rest of the houses of the neighborhood to attack them that one of the mad dogs attacked a woman who tried to protect her baby whom the American dog tried to bite but he bit the kind kind-hearted mother's hand who jumped in front of her son with courage and let the pure blood of the mother flow from her hand until the forces left at 6 (Six) a.m. in the same day to bandage her wounds. The behavior those occupation forces reached to thievery in robbing and stealing the money and jewels of those families to prove that it's a mercenary's army before it's an occupation army.

4. Crimes in the course of the first assault on Fallujah (April 2004)

On the 4th of April 2004, members of the Fallujah local council (City Council) were informed during a meeting with the commander of U.S. marines forces in Fallujah

that they intended to take military action against the insurgents who *presumably* killed the four contractors although there were negotiations underway about this issue. The U.S. forces were asking the population of Fallujah not to leave the city, or, if they did to get food and medicine only, to hold a white flag in front of U.S. troops. They had apparently already decided to besiege the city and prevent the supply of food and medicine entering the city, thus violating the Geneva Conventions that explicitly prohibits the starvation of civilians. Furthermore the civilian population was prevented from leaving the city which is another violation of the Geneva Conventions. Any attempts to discuss the issue regarding collective punishment (in reprisal for the killing of the 4 agents of Blackwater) was dismissed by the commander of the Marine Corps who replied that this were his order from the Pentagon and Washington.

The delegation returned to the city and decided to launch an urgent appeal by satellite channels to save our city from destruction. But, what was feared, occurred. The U.S. aircraft bombed most areas of Fallujah randomly and brutally, starting with bombs and rockets. Later huge bombs weighing 300-500 kg were dropped as well as cluster bombs which killed and wounded thousands of civilians and displaced thousands more. They also destroyed homes and property.

Further collective punishment took the form of American snipers targeting any moving body, killing innocent civilians, young and old, M and F, (See annex).

In a further violation of the Geneva Convention the sick and wounded were prevented from reaching the hospital by cutting off the bridge connecting the city to the general hospital. This is an egregious crime under international humanitarian law. The main football stadium of the city was turned into a burial ground for thousands of victims. Those who lost their houses and sheltered in schools.



In another incident, more than 30 civilians who tried to escape the city, carrying white flags, were bombed by American F-16 jet fighters. It seems that the American pilot asked his superior how to deal with civilians. Only to be ordered to shoot to kill.

<http://www.youtube.com/watch?v=TG2RYrxlvx8>



One look on the web, such as YouTube will provide evidence. The general and the security situation in Fallujah prevented the systematic collection of testimonies. However, there are some, at the end of this document, (originals in Arabic).

5. The cutting short of the peace talks that could have prevented the second battle of Fallujah

In August 2004, following the first battle of Fallujah the Baghdad government demanded that a formal security force be established composed of people from

Fallujah under the control of the new government, that would not include U.S. forces, who would not enter the city, except in specific situations, accompanied by the security forces of the new army.

Unfortunately, this agreement received no international guarantees and the US forces rejected the intervention and the presence of the UN

In the time between the two battles, which was supposed to be a time of peace, the U.S. forces, under the pretext of chasing insurgents, kept on bombing the residential and industrial areas with bombs of 500 kg, and occasionally with cluster bombs. Negotiations started between a delegation from Fallujah, under the chairmanship of Sheikh Khaled Hamoud Jumaili (that comprised also Dr. Rafee Hiead Issawi,) and a delegation from the Dr. Iyad Allawi's government (Iraqi interim government), headed by Mr. Hazem Shaalan who was the Iraqi defence minister at that time.

The dialogue eventually reached a peace agreement The Iraqi Defence Minister Hazem Shaalan asked for a 3 days break for consultations within the Iraqi Council of Ministers chaired by Dr. Iyad Allawi. Two days later, Mr. Hazem Shaalan requested an emergency meeting. The delegation from Fallujah was told by the minister of defence, Mr. Hazim, that the U.S. forces rejected the peace agreement and were determined to strike and seize the city. There was nothing the Iraqi government could do. (A tape recording with full details is available)

As a new massacre looms, disinformation is rife, spreading the word that the population of Fallujah rejects peace. Following the rejection of the peace agreement by the government of Iyad Allawi under pressure from the Americans, an urgent meeting was arranged with the representative of the Secretary General of the United Nations in Iraq, Mr. Ashraf Qazi. The delegation of Fallujah formally asked Mr. Ashraf Qazi to intervene to prevent a further assault. Mr. Ashraf Qazi sent an urgent letter to New York requesting the Secretary General of the United Nations, Mr. Kofi Annan, to intervene in order to give peace a chance and prevent further military actions for which the civilian population would pay a high price. In reply, Mr. Kofi Annan addressed an open letter to the occupying forces, in

which he requested the U.S., British and Iraqi governments to renounce military action, in order to spare the civilians'. He also asked that the United Nations be allowed to intervene as a mediator in the talks.

Mr. Kofi Annan message was rejected by both the governments of the U.S. and the UK. Then British Prime Ministers Mr. Tony Blair asked and got permission for the transfer of 5000 British soldiers from Basra in preparation of the second onslaught by using lies.

All these elements are conclusive proof that there was no real will to find a peaceful solution that would have spared the city and prevented the killing and the wounding of hundreds of people as well as the displacement of thousands of others.

6. Crimes of the US-UK troops in the second assault battle on Fallujah (November 2004)

It is an established fact that the American forces prevented aid agencies such as the Iraqi Red Crescent Society (IRCS) and the International Committee for the Red Cross (ICRC) from entering the city and the nearby towns and villages to assist hundreds of thousands of refugees from Fallujah who were struggling to survive without water, food, medicine and electricity. According to IRCS, this had created a humanitarian disaster. The teams of doctors and relief experts of the IRCS were denied access by the American forces. They also tried to bring humanitarian relief into the city and the refugee camps. In a statement on the 10th November, the ICRC declared that there were thousands of elderly, women and children who had had neither food nor water for days.

In order to cover up their crimes, the U.S. forces prevented the free press from entering the city during the military operations. A number of news agencies and photographers as well as the testimony of U.S. marines soldier (see annex), witnessed the existence of surviving civilians within the city, in particular people too poor to escape and who constitute the majority of the population. Children were seen begging for food. A witness, who went into the city one month after the end of the

battle, (ready to testify provided he gets protection) saw the bodies of civilians from his neighbourhood, the civilians being yet again the main victims. There also is a large number of missing.

U.S. forces arrested and detained an approximate three thousand civilians (especially men and youth) who had remained in the city with their families. In violation of human rights, they were detained in cages and some of them were forced to clean up the city in order to wipe out any evidence of the American crimes. The U.S. transferred a large number of arrested civilians to Abu Ghraib and to Basra (Boukah) prisons. Many of them died as a result of ill treatment. There are still hundreds of people missing from Fallujah, like the old man called Shaker Hamdan Abdullah Al-Faiad Al-Kubaesy who went missing in the American prison in Basra, after he sent many letters to his family.

Many witnesses confirmed the wholesale killing of unarmed civilians inside their houses and in mosques. Some were shot after being handcuffed. Other blown up inside their own homes. The civilians who stayed in the city during the American offensive had a hard time at the hand of the occupying forces and the so-called Iraqi National Guards. The deliberate killing of civilians was a common occurrence. Many children were witness to the murder of their parents, just as men had to watch, helpless, when their children and their wives were being killed. Hamid Abdulrazzak Sultan, a citizen from Fallujah, witnessed the killing of his pregnant wife along with his 4 sons during an American attack in November 2004. Four members of the Fawzi Hussein Salman al-Aisawi's family were killed by the American forces in front of their daughter, Huda. Almost every family who stayed in Fallujah had to bury a victim in the garden of their house.

Although there are no exact numbers of civilian casualties on record, thousands died. On the 25th and 26th of December 2004, the emergency teams of Fallujah hospital removed 700 bodies from six residential quarters alone. The American forces announced that they had more than 1200 bodies kept in refrigerated stores outside Fallujah (the store that was used for the storing of potatoes), which goes to show the heavy price the civilians paid.

Eyewitnesses reported that members of the Iraqi National Guards have looted houses and stores, using their official cars, and openly sold the loot in areas of Fallujah as well as in Baghdad. Not only was the looting condoned by the U.S. forces but also some US marines participated in the looting as confessed by the former Marines soldier (see annex).

A numbers of returnees who were living in the residential area of al-Andalus found their houses intact after the battle. However after a short absence they found their houses destroyed for no obvious reason. (see Ross Caputi's account in Annex).

The committee of the government for reconstruction found that in Fallujah 26000 houses partially destroyed, 3000 houses completely destroyed as well as 70 mosques and 50 schools.

The power plant that provides electricity was completely destroyed as well as 50% of the drinking water distribution system and 70% of the sewer system.

The destruction is well documented thanks to the media in particular, Dr. Ali Fadhel who was working for the British Channel 4. Another Iraqi journalist reported on the defiling of the mortal remains of some citizen of Fallujah.

All in all, 25 hours of recording were handed over to the Special Representative of the Secretary General in Iraq, Mr. Ashraf Qazi, who instructed his staff to requests the U.S. forces to give access to two teams, respectively, from the World Health Organization and the Office of Human Rights of UNAMI, for them to investigate. The U.S. forces denied those requests under the usual pretext of security risk. Thus a comprehensive scientific study was prevented.

Here below are the main issues for which further investigation are required for this battle:

1. The killing of civilians, in particular the killing of an old man who was lying wounded in a mosque (On November 16, NBC News aired footage that showed an

American Marine of the 3rd Battalion 1st Marines) and the shooting dead of a wounded Iraqi fighter. US Navy investigators from the NCIS later determined that the Marine was acting in self-defense.

The wanton destruction of property. The destruction of houses that were still inhabited

The looting and the defiling of the mortal remains of fallen civilians

2. The disclosure of the location of mass graves where bodies burnt by prohibited weapons or had their throats cut. (see testimony of US journalist Dexter Filkins who witnessed the defiling of some dead bodies)

3. The use of many types of prohibited weapons which lead to nuclear contamination, worse than in Hiroshima and Nagasaki, according to the latest published international report (Buspy et al., 2010).

The U.S. admitted using White Phosphorus (WP) following a television footage broadcasted on Italian channel RAInews on the 24th on November 2005 (see the link of RAInews24)

In a interview given to the BBC, a Pentagon spokesman admitted on the 16th of November 2005: *"We actually used chemical weapons against the insurgents, but not against the civilians"*. It is well known that these weapons are indiscriminate.

The Italian RAInews24 has shown the two U.S. soldiers using chemical weapons such as WP, while a sniper was killing two civilians on the instructions of the U.S. military. (Please see the testimonies below). While we are unable to identify the British Units, but we know that the US military units who participated in this battle (see the foot note below)³:

³ - **Regimental Combat Team 1** (RCT-1) built around the 1st Marine Regiment:

• 3rd Battalion 1st Marines (Infantry) (***Main Effort***) • 3rd Battalion 5th Marines (Infantry) • 3rd Light Armoured Reconnaissance Battalion (Mechanized Armoured) • 3rd Battalion 14th Marines— Battery "M" (Artillery) • 1st Battalion 5th Cavalry (US Army Armoured) • 2nd Battalion 7th Cavalry (US Army Armoured) • Company C, 3rd Battalion, 8th Cavalry Regiment, (Armoured) • 2nd Tank Battalion — Co C • TOW Platoon (-), 23rd Marines • Scout Platoon, Headquarters & Service Company, 4th Tank Battalion • Company A, MP Battalion, 4th Marine Logistics Group, 4th Marine Division • Company B, (reinforced), 2nd Combat Engineer Battalion, 2nd Marine Division • 4th Civil Affairs Team, 4th Civil Affairs



7. Environmental pollution and its effects on health and the threat to future generations.

The two battles of Fallujah affected the health of the civilian population badly, sparing neither old nor young, neither M nor F. There is a significant increase in the number of cancer cases and congenital malformations.

The blockade imposed by U.S. forces prevented any scientific study or real research, equivalent, as regards the level of pollution.

Group • Shock Trauma Platoon, 1st Marine Logistics Group • Company B, 1st Battalion, 4th Marines • Company B, 1st Battalion, 23rd Marines
Regimental Combat Team 7 (RCT-7) built around the 7th Marine Regiment: • 1st Battalion 3rd Marines (Infantry)

Three years after the end of hostilities, throughout the years 2006/2007, we have, however, in cooperation with the Department of Fallujah hospital, collected the official health statistics showing the burden of disease, in order to produce the first scientific medical report that shows the health status of the city. It was the first report providing figures concerning the substantial increase of congenital malformations and cancers for both sexes and various ages (Prohibited weapons crisis in Fallujah. CCERF-MHRI, 2008). Following the publication of this report, two members of the U.S. Congress visited Fallujah in August 2008 who were unaware of the pollution, but came on a fact finding mission.

The official medical reports to the Fallujah hospital and signed by three senior doctors at the General Hospital state :

1. In 2006, 5928 cases of previously unknown or rarely seen diseases were diagnosed among civilians.
2. In the first half of 2007, 2447 seriously ill patients were admitted, showing mostly little known symptoms. 50% of them were children.

A new study, carried out by researcher, Chris Busby, Malak Hamdan and Intisar Abadi, shows an increase in the rate of cancer, leukemia, infant mortality, abnormal deliveries and injuries similar to those found among the survivors in Hiroshima and Nagasaki in 1945.

(The International Journal of Environmental Studies and Public Health - (IJERPH) Basel - Switzerland (no 7 . 7/6/2010 pp 2828-2837))

A field survey conducted in Fallujah in February 2010 that included 711 houses, involving 4000 interviews, revealed that five years after the American attack of 2004, all forms of cancers have been multiplied by four

Cancers were found, similar to those of the survivors in Hiroshima who had been exposed to radiations resulting from the atomic bomb. Comparing the data from the samples of Fallujah with data from Egypt and Jordan, the researchers found that the

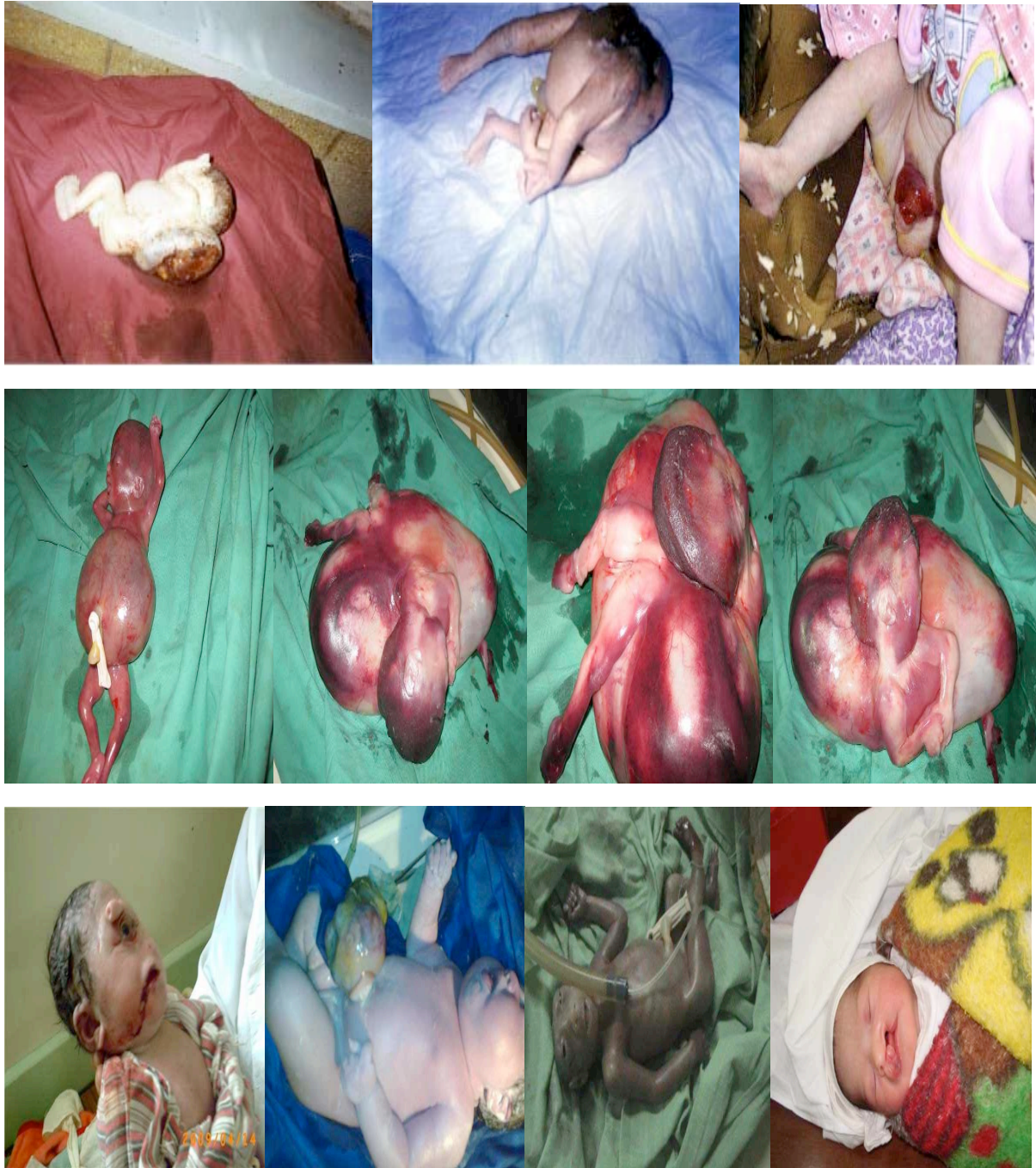
incidence was 38 times higher for leukaemia (20 cases) and ten times higher for breast cancer for F,s (12 cases), as well as a significant increase in lymphoma and brain tumours in adults.

Over a five-year period, a 12 fold increase in cancer in 14 year old children was noted. An increase in the incidence of cancer and leukaemia, that affect young people was also noted. the Infant mortality climbed to 80 deaths per thousand live births compared with 19 deaths in Egypt and 17 in Jordan and 9.7 in Kuwait. Another important issue is the sex-ratio. Normally there are about 1050 Ms and 1000 F,s. However, after 2005, there is a sharp decline in M children as only about 350 little boys were born.

Within the last 6 years, the rate of birth defects in Fallujah has climbed by more than 25%. Congenital heart defects (CHD) has the highest incidence, followed by neural tube defects (NTD), and skeletal anomalies. Similar birth defects were reported in populations exposed to war contaminants. Heavy metals (PB), radioactive material like depleted uranium (DU), are known to have **Teratogenic** and **Mutagenic** effects and to induce damages through epigenetic mechanisms. (Data under publication).







Recommendations:

1. The inability of the Iraqi judiciary to undertake any proceedings leading to eventual trials and accountability for the crimes and violations by the U.S.-British soldiers, is clear evidence of the complicity and to the continuation of absolute occupation, thereafter the situation was ratified thereafter with the drafting of the

security agreement between U.S. government and the Iraqi government confirming and regularizing this deficiency.

It is our cherished right to hold to account the International Community who now has both the mandate, and moral responsibility to initiate proceedings to prosecute and hold accountable all those perpetrators and seek full restitution and compensations in appropriate portion and scale, commensurate with the endured suffering and pain throughout the endured periods and continuing till the present day.

2. we appeal to the international community, to hold the perpetrators of these crimes accountable, and obtain compensation for the victims, including for the suffering and all pain endured.

3. The establishment of an international criminal court, or at least an independent fact-finding mission to look at all violations happened in Iraq by the United States since 1991.

4. The reinstitution of the Special Rapporteur on human rights in Iraq is one of the first step that the international community can take in order to get at the truth as regards the human rights situation in Iraq.

5. We call on all visual media and audio, which has documented the crimes of Fallujah, to send a copy to the office of the special procedures in the Human Rights Council of the United Nations, to assist victims of Fallujah and help stop these crimes.

Annex I

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Annex II

- **Testimony of former private US Marines soldier**

**To / The Office of Special Procedures of the Human Rights Council of
UN**

My name is Ross Caputi and I am a former Private of the United States Marine Corps. I was in the 1st Battalion , 8th Marine Regiment Alpha , Company Headquarters Platoon during the time of Operation Phantom Fury in Fallujah, Iraq, in November of 2004. I hope that my testimony is useful in bringing attention to the human rights violations and war crimes that we committed, and in giving at least some amount of justice to the people of Fallujah.

My unit was inserted into Fallujah as part of the main effort of this operation, during which I was the company commander's radio operator. Our company Commander's name was Captain Cunningham. I have knowledge of certain war crimes and human rights violations that he was aware of and allowed to continue. I also witnessed white phosphorous being dropped on Fallujah during an air assault.

Before we were inserted into the center of Fallujah, my unit sat outside of the city in fighting holes, waiting for the air assault to finish. Ground troops had not yet entered the city at this point. During that evening when it was dark, I witnessed white phosphorous being dropped on Fallujah. I asked a nearby lieutenant if it was legal to use white phosphorous, and he replied to me that it was because we were dropping it on the periphery of the city and we were only using it as a smoke screen, rather than using it offensively. From my position I could not see with any certainty whether the white phosphorous was dropped on the city, on the periphery of the city, or on civilians who had fled their homes and were camping in the periphery of the city; and that lieutenant could not either. Because he seemed certain that we were using it as a smoke screen, without being able to see where it had landed, I think he knew before hand that we were going to use white phosphorous. That lieutenant was Lieutenant Malcom of 1st Battalion 8th Marines Alpha Company Weapons Platoon, who was killed two days later from a gunshot wound.

A few days later we were inserted into the mayor's complex in the center of the city. I believe that this was around the 10th of November. From there we pushed forward going house-to-house for several weeks until we reached the far end of the city. In each house there were often possessions left behind from the families that had recently lived there. Looting became very commonplace. The people around me were stealing anything that seemed valuable – silverware, teapots, knives, and clothing. I stole a black winter sky mask out of a home. Other people in my unit were searching the pockets of dead resistance fighters for money. The platoon commanders and the company commander were aware of what was happening, and they tolerated it for several days, until they eventually issued an order that everyone had to stop looting.

During this period we began using a tactic called reconnaissance by fire. Reconnaissance by fire is when you fire into an area or building to see if there are people there. If you hear silence after your firing, then there are no people in this area or building. If you hear otherwise, then there are either combatants or civilians there. Before the operation began we were briefed that all civilians had left the city, but on November 10th we encountered civilians in the center of Fallujah and we realized that this information was untrue. Reconnaissance by fire is always indiscriminate, and we began using it several days after we were inserted into the city, even after we learned that there were still civilians in the city. The platoon commanders and the company commander were aware that we were using reconnaissance by fire, they allowed it go on for several days, but eventually they gave an order that we were no longer allowed to use reconnaissance by fire. I should make it clear that I never witnessed reconnaissance by fire with my own eyes. I only heard it being talked about on the radio, and I heard other Marines talking about it. I was the company commander's radio operator, and radio transmissions about reconnaissance by fire came over the radio when he was present, so I am certain that he was aware that we were using reconnaissance by fire.

We also used bulldozers to clear houses. This tactic was used the entire time that we were in Fallujah. If there were suspected resistance fighters in a house, then we would just bulldoze it on top of them, rather than risking our lives by entering the house. Sometimes if we were unsure whether or not there were resistance fighters in

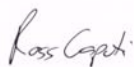
a house, then we would bulldoze it just in case. In these instances this tactic becomes indiscriminate. I witnessed the battalion that flanked us bulldozing an entire neighborhood so that they would not have to send their men inside to clear those houses.

There was one incident when there were two resistance fighters and a young boy, roughly ten years old, bunkered into a house. I am not sure if attempts were made to negotiate or to save that young boy's life in some way, but we eventually started firing grenades into the house with a mark-19 until the house collapsed on top of all three of them. They were all killed. The lieutenant closest to this incident was Lieutenant Barns of 1st Battalion 8th Marines, Alpha Company, 3rd Platoon. I do not know what was done with their bodies, or if any action was taken to identify the bodies and report this incident. My entire chain of command was aware of this incident. It was filmed by reporters from the BBC, one of which was Paul Woods. This video was available on youtube for a while, but was eventually removed. In every instance that we killed either resistance fighters or civilians, I am unaware of any action taken to report their deaths. We always just moved on.

I have given all the information that I think might be helpful, and I would be willing to testify further before any of the special procedures about any aspect of Operation Phantom Fury, or any other incident that I witnessed in Iraq.

Sincerely,

Ross Caputi



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We reserve the video of this testimony and as what was written and signed by the witness

Annex III

A copy attached of the personal testimonies of the families of victims and witnesses to such violations in Arabic language.

- **Some of the martyrs of Fallujah before the first battle (April,2004):**

1. Montaser Sami Hammad Ali al-Alwani: (M) were killed by a random firing of US troops on civilians in the district Nazzal on 7/6/2003. (Witness: his father, Sami Hammad Ali Judaie Al-Alwani).

2. Ahmed Obaid M'hidi Saud Issawi: (M, age 33 years (1971) and an employee of the Cement Fallujah factory) was killed in a shooting rampage by U.S. units stationed in the Al-Siaheia triangle intersection on 27/10/2004 due to the exposure of these forces to fire was unknown, and the reaction of U.S. forces opened gunfire indiscriminately at everyone who was close to them, killing the victim when he was passing by on the way near the scene of the accident. (Witness: his brother, Diaa Eddin Obeid M'hidi Saud al-Issawi).

3. Ahmed Hassan Krhot Shaker: (M) killed on 06.01.2004 when he went to the outside door of the house to find out the cause of bullets that were ringing out, surprised to hit a missile towards his house to kill him with his wife, Siham Khalaf Ali immediately. After this incident, the U.S. troops an apologized from the victim's family without any financial compensation until now. The dead man had five children between ages 6 years to 7 months. (Witness: his father, Hassan Krhot Shaker).

4. Siham Khalaf Ali: (F,) killed on 01/06/2004 while out with her husband, Ahmed Hassan Krhot to the outside door of the house to find out the cause of bullets that were ringing out, while she faced a U.S. missile strike to her house to kill her and her husband Ahmed Hassan Krhot immediately. After this incident, the U.S. troops an apologized from the victim's family without any financial compensation because the curb. The dead women had a five children between ages 6 years to 7 months. (Witness: her husband's father, Hassan Krhot Shaker).

5. Mohammed Annad Abboud Jassim al-Alwani:(M, aged 22 years old) was deliberate on 28/4/2003 by U.S. forces stationed in a Al-Kaeed school which located in the neighborhood of Nazzal, where he was going to visit relatives and while walking were located nearby, a peaceful demonstration first against the presence of U.S. troops among the civilian houses, prompting U.S. forces to shoot randomly and kill the victim from among the dozens who died in this peace process between the killed and wounded.

- **Some names of the civilians Martyrs during the first battle March - April 2004**

1. The family of Ali Dahi Abd Muflih: (15 persons among Males and Females) mostly women and children were killed by bombing their home by U.S. aircraft and destroyed the house in full. (Witness: the father of the family, Ali Abd Dahi Muflih)

2. Mohammed Abdel-Rahman Asker: killed on 24/4/2004 as a result of U.S. bombing on the area of the Golan neighborhood (witness: his mother, Badriya Hamad Hussein Atia)

3. Alaa Najim Abdullah Al-Issawi: He had been shoted and killed by a U.S. sniper was hit area of the head which led to his death, during the first battle in April 2004 in the Jolan neighborhood (witness: his brother, Amer Najm Abdullah Al-Issawi)

4. Mohammed Saadoun Jassim Mohammed Owaid al-Jerisi: (M, Age 24 years and an officer of the the former border police), was killed by the U.S. bombing while coming out to shopping for his family in Street of Anbar's School that took place on 11/4/2004. (Witness: his relatives, Awad Ali Hussein Rahim Jerisi)

5. Hussein Ali Ahmed al-Alwani: killed by U.S. bombing the area of the Golan Heights neighborhood on 8/4/2004 (witness: his brother, Mohammed Ali Ahmed al-Alwani).

6. The kid called Moueid: killed by a fatal head injury as a result, U.S. aircraft bombed the neighborhood Al-shohadda on 10/4/2004. (Witness: his mother, Amal Ibrahim Mohammadi basil).

7. The son of Mohammad Nayef Mahmoud Jumaili: killed by a bombing by American planes on the Jolan neighborhood, while he was with his family to visit relatives in the Jolan neighborhood in April 2004, and the injuries were fatal, including areas of the chest and limbs of the body of the victim. (Witness: his father, Mohammad Nayef Mahmoud Hamadeh Jumaili).

8. Ibrahim Abd Ali Jerisi: killed as a result of cluster bombs strikes by U.S. warplanes district Mutasim on 9/4/2004. (Witness: his brother, Qasim Abd Ali Jerisi).

9. Faheq Salem Abd al-Jerisi: killed as a result of cluster bombs strikes by U.S. warplanes neighborhood Mutasim on 9/4/2004. (Witness: his father, Salim Abdul Jerisi).

10. Mohammed Ibrahim Rashid Shaheen al-Zobaie: killed by the brutal bombing of the U.S. aircraft on the area around Fallujah Nuaimiya on 8/4/2004, during the siege of the city of Fallujah. (Witness: his father, Ibrahim Rasheed Shaheen Zobaie)

11. Fatah Saad Abbas al-Issawi: 8 years old, was killed as a result of U.S. bombing and launching indiscriminate firearm by U.S. forces in the vicinity of Abdul Aziz al-Samarrai mosque in the neighborhood still on 04/14/2004. (Witness: her father, Saad Abbas al-Issawi).

12. Hisham Sttar Jubayr Farhan (M, children and the old year and a half): killed in a bombing by U.S. aircraft on the Shuhada district on 16/4/2004, and the fatal injuries in various parts of the body as a result of bullets and shrapnel. (Witness: his relatives, panic Hamid).

13. Ali Obaid Araimt al-Mohammadi: (M) was killed by indiscriminate bombing by U.S. aircraft on the area of the Golan Heights neighborhood on 14/04/2004 and using weapons banned cluster (witness: his brother, Ahmed Obaid Araimt Mohammadi).

14. Hisham Jubayr Farhan: (M, aged 18 years old) was killed by U.S. gunfire and random on 17/4/2004 area Aljughafi district (where the victim lives), and the injuries were fatal in different parts of the body. (Witness, and his mother Halima Abdul-biggest oil exporter).

15. Mohammed Qasim Mohammed Jumaili: (children and aged 4 years) was killed by indiscriminate bombing by U.S. aircraft on the area live on the military 16/4/2004. (Witness: his father, Qassim Mohammed Abdullah Jumaili)

16. Asaad Abdel-Hamid Shihab al-Ani: (M, engineer, aged 41 cents (1961) is married and has three daughters and his wife is pregnant with a fourth in the time of the incident), was killed as a result of indiscriminate shelling of cluster bombs by U.S. warplanes continue to live on 16/4/2004 .

17. Mohammad Adnan Allawi: (M) was killed in a shooting rampage by U.S. forces on the area by the Shuhada neighborhood area Nuaimiya on 16/4/2004, and the injuries to the head, abdomen and sides of the body. (Witness: his father, Adnan Allawi Aftan).

18. Yasser Adnan Allawi: (M) was killed in a shooting rampage by U.S. forces on the area by the Shuhada neighborhood area Nuaimiya on 16/4/2004, and the injuries to the head, abdomen and sides of the body. (Witness: his father, Adnan Allawi Aftan).

19. Ammar Mohammed Mishaan Hussein: (M, unmarried, and at the age of 24 years old) was killed as a result of indiscriminate firing by U.S. forces on the second district of the martyrs on 15/4/2004. (Witness: his brother, Ammar Mohammed Mishaan)

20. Ali Ismail Obeid Jassim Salman al-Issawi: (M child, aged 5 years (1999)) killed on 17/4/2004 by a U.S. sniper when he was playing in front of his home in the Nazzal neighborhood / near the Mosque of Paradise, which led to the fragmentation of the bullet chest. He was buried in the same grave with his brother, my right who was playing with him and killed at the same time. (Witness: his father, Ismail Obeid Jassim Issawi Salman).

21. Hakki Ismail Obeid Jassim Salman al-Issawi: (M, child reached the age of 10 years) killed on 17/4/2004 by a U.S. sniper when he was playing in front of his home in the Nazzal neighborhood / near the Mosque of Paradise, and was buried in the same grave with his brother Ali, who was playing with him and killed at the same time. (Witness: his father, Ismail Obeid Jassim Issawi Salman).

22. Muthana Ibrahim Zidane: (M, and at the age of 22 years, working wage earner), was killed on 09.04.2004 as a result of indiscriminate shelling of a U.S.

aircraft to the area near the Hadra mosque. (Witness: his brother, Khalil Ibrahim Zidan)

23. Thaer Hatem Ckhan Hammadi al-Alwani: (M) was killed on 8/4/2004 due to indiscriminate bombing of the U.S. aircraft on the area district of Jbeil. (Witness: his father, Hatem Ckhan Hammadi al-Alwani)

24. Louay Sttar Wahid: (M, and aged 17 years and works earner) was killed on 24/4/2004 as a result of indiscriminate shelling of the U.S. aircraft on the area the Jolan neighborhood. (The witness, his brother, Qusay Star single).

25. Hussein Allaywi Madan Shotab al-Fahdawi: (M, and at the age of 35 years old, married and father of a family of 5 members and operates earner), was killed as a result of indiscriminate shelling of a U.S. aircraft on the vine region on 9/4/2004. (Witness: his brother, peace Silverline Amadan)

26. Wadad Majid Nasif Jassim Hammadi al-Fahdawi: (F) killed on 10/4/2004 as a result of indiscriminate bombing by U.S. aircraft on the Jolan neighborhood. (Witness: Her father, Majid Nassif Jassim Hammadi al-Fahdawi)

27. Iman Fizh Hamed Ali al-Mohammadi: (F) killed on 11/4/2004 are heading for launch indiscriminate fire by U.S. forces on the Jolan neighborhood, and was in the course of her escape with her family out of Fallujah to get rid of the hell of U.S. fire. (Witness: her father, panic Hamid Ali Mohammadi)

28. Anwar Fizh Hamed Ali al-Mohammadi: (F) killed on 11/4/2004 are heading for launch indiscriminate fire by U.S. forces on the Jolan neighborhood, and was in the course of her escape with her family out of Fallujah to get rid of the hell of U.S. fire. (Witness: her father, Fizh Hamed Ali al-Mohammadi)

29. Esraa Fizh Hamed Ali Mohammadi: (F) killed on 11/4/2004 are heading for launch indiscriminate fire by U.S. forces on the Jolan neighborhood, and was in the course of her escape with her family out of Fallujah to get rid of the hell of U.S. fire. (Witness: her father, Fizh Hamed Ali al-Mohammadi)

30. Heba Abd Awda jafil al-Halbusi: (F, aged 20 years old (1984)) killed on 14.04.2004 due to gunshot penetrated to take the head by a U.S. military sniper, and if the victim while trying to flee with her family from the neighborhood of the martyrs to the outside of Fallujah. (Witness: her mother, Zakia Ahmed Atia)

- 31. Haneen Ahmed Obaid:** (F, child) killed on 14.04.2004 due to indiscriminate bombing of the U.S. aircraft using cluster bombs on the area of the Jolan neighborhood. (Witness: her father, Ahmed Obaid Araitm)
- 32. Saffa Ayoub Abdul Razak Salman:** (F) killed on 13.04.2004 as a result of indiscriminate shelling of the U.S. aircraft on the inhabited house in the Jolan neighborhood. (Witness: her father, Ayoub Abdul Razak Salman).
- 33. Marwa Ayoub Abdul Razak Salman:** (F), killed on 13.04.2004 as a result of indiscriminate shelling of U.S. aircraft on the inhabited house in the Jolan neighborhood. (Witness: her father, Ayoub Abdul Razak Salman).
- 34. Aseel Fizh Hamid Ali Mohammadi:** (F) killed on 16/4/2004 by U.S. fire while trying to escape with the Jolan neighborhood Ailthamn Vaaatardthm sniper fire for U.S. troops around Fallujah area Nuaimiya. (Witness: her father, panic Hamid Ali Mohammadi)
- 35. Zainab Fizh Hamid Ali Mohammadi:** (F) killed on 14.04.2004 by U.S. fire while trying to escape with the Jolan neighborhood Ailthamn Vaaatardthm sniper fire for U.S. troops around Fallujah area Nuaimiya. (Witness: her father, panic Hamid Ali Mohammadi)
- 36. Bushra Adnan Allawi Aftan:** (F) killed on 12/4/2004 as a result of indiscriminate shelling of a U.S. aircraft on the Andalus district / school near Fallujah, and died of severe hemorrhage after being hit by shrapnel throughout the body. (Witness: her father, Adnan Allawi Aftan)
- 37. Marwa Mohamed Khalaf:** (F) killed on 04/14/2004 while passing on the street in a neighborhood mosque near Martyrs piety, and by firing a bullet hit her head and a U.S. led to her death on the spot. (Witness: her mother, Mjodp Farhan Abdullah Nassif).
- 38. Marwa Walid Ismail Yahya:** (F, aged 11 years old) killed on 07/04/2004 by the indiscriminate shelling by U.S. forces into the Jolan neighborhood. (Witness: her cousin, Adi Ibrahim Ismail)
- 39. Jinan Khalil Ismail Yahya:** (child and at the age of 4 years) killed on 07.04.2004 by the indiscriminate bombing of U.S. troops on the Golan Heights neighborhood. (Witness: her cousin, Adi Ibrahim Ismail)
- 40. Zahrah Abd Hamad al-Fayyad:** (F) killed on 18.04.2004 due to the indiscriminate shelling of the U.S. aircraft district Aljughaifi, and died from the

injury was seriously injured after failing to post its people for being able to transfer to a hospital in Fallujah city and outside it is prohibited from accessing it because of the blockade and military operations for U.S. forces. (witness: her son, Karim Shaheen khfeef)

41. Qahtan Khudair Awad: (M) killed on 10/4/2004 as a result of exposure to fire bullet by U.S. forces while leaving the city of Fallujah to Baghdad, has died off and could not move it to the hospital because of the difficulty is a result of military operations.

42. Zahra Abdul Karim Shaheen: (F) killed on 8/4/2004 as a result of indiscriminate shelling of a U.S. aircraft Aljughai district, has not been able to transfer to the hospital because of the imposition of the fiery siege by U.S. forces. (Witness: her father, Abdul Karim Shaheen khfeef)

43. Heba Mohamed Diab Hammadi: (F) killed on 16/4/2004 and during the military operations of U.S. forces who had been shot by a U.S. sniper hit in the head and chest, which led to her death in the case. (Witness: her father, Mohammed Diab Hammadi)

44. Hayam Khudair Awad: (F) killed on 10/4/2004 due to fire bullet by U.S. forces during the exit from Fallujah to Baghdad. And died immediately because of the depth of injury and not being able to transfer to the hospital because of the difficulty of the situation and military siege, which separate the hospital from the city of Fallujah. (Witness: her relative, Qassim Mohammed Abdullah)

45. Noor Qasim Mohammad al-Jumaili: (girls and 8 years old) killed on 16/4/2004 by U.S. forces during the indiscriminate shelling of a military district. (Witness: her father, Qassim Mohammed Abdullah)

46. Ayah Qassim Mohammed Jumaili: (child and at the age of 6 years)) killed on 16/4/2004 by U.S. forces during the indiscriminate shelling of a military district. (Witness: her father, Qassim Mohammed Abdullah)

47. Fadhela Fadel Abd al-Halbusi: (child at the age of 13 years) killed on 8/4/2004 by U.S. forces during the indiscriminate shelling of a military district. (Witness: her brother, Abbas Fadel Abd)

48. Siham Fadhil Ali: (child and at the age of 4 years) was killed during the indiscriminate bombing of U.S. troops on the Shuhada neighborhood. (Witness: her mother, Eman Jassim Hammadi).

49. Dhia Abboud Khleef: (F, large age) killed on 09.04.2004 due to random shootings of U.S. troops stationed in the Abu Sedira / Saqlawiyah corner, and as a result of exposure to one U.S. soldiers were injured due to firing a bullet was unknown by U.S. forces stationed in the region opened fire indiscriminately, wounding this lady wound prolific and dripping near the chest area to getting out of a taxi she was riding. (Witness: her daughter, a kindergarten Hammadi Shihab Aqidi).

50. The names of Mohammed Odeh: (girl, age 9 years) killed on 20/4/2004 as a result of exposure to fire randomly shot by U.S. forces in the Golan district / school near the Gulf, killing her instantly. (Witness: her father, Mohammed Odeh).

51. Showisha Hummadi Fayyad: (F, elderly) killed on 18.04.2004 as a result of indiscriminate shelling of U.S. aircraft to continue to live where you live victim. Because of the difficulty her to the hospital owing to the closure of U.S. forces to the road leading to the hospital, he died was buried in the cemetery of the new (stadium earlier). (Witness: her son, Hamid Abdullah Fayyad).

52. Mother of Nama Allawi Mhanna al-Halbusi: (F) killed on 13.04.2004 due to the release of Abha bullet in the head by a U.S. sniper during the indiscriminate bombing of U.S. troops still in the neighborhood of the city of Fallujah.

53. Hoda Fawzy Ali Kazim: (F, a student in elementary school) killed on 16/4/2004 when the indiscriminate bombing by U.S. forces on the Shuhada neighborhood, wounding and killing a child, Huda immediately. (Witness: her mother, Thaera Khalil Abbas)

54. Shaimaa Abbas Fadel Abd al-Halbusi: (F, age 15 years) killed on 8/4/2004 during the indiscriminate bombing of U.S. troops to the house in the neighborhood inhabited by the military during the siege of Fallujah. (Witness: Her father, Abbas Fadhil Abd al-Halbusi)

55. Khawla Abbas Fadhil Abd al-Halbusi: (F, age 19 years) killed on 8/4/2004 during the indiscriminate bombing of U.S. troops to the house in the neighborhood inhabited by the military during the siege of Fallujah. (Witness: Her father, Abbas Fadhil Abd al-Halbusi)

56. Alia Fadel Abd al-Halbusi: (F, age 13 years) killed on 8/4/2004 during the indiscriminate bombing of U.S. troops to the house in the neighborhood inhabited by the military during the siege of Fallujah. (Witness: her brother, Abbas Fadhil Abd al-Halbusi)

57. Bushra Fadil Abd al-Halbusi: (F, age 15 years) killed on 8/4/2004 during the indiscriminate bombing of U.S. troops to the house in the neighborhood inhabited by the military during the siege of Fallujah. (Witness: her brother, Abbas Fadhil Abd al-Halbusi)

58. Huda Yusuf Salman: (F, age 30 years) killed on 16/4/2004 as a result of indiscriminate bombing of U.S. troops during the military district of the siege of Fallujah. (Witness: her husband, Qasim Muhammad Abdullah)

59. Sorour Karim Ahmed Filaih al-Janabi: (F) killed on 04.18.2004 by the indiscriminate bombing of U.S. troops still on the district, during the siege of Fallujah. (Witness: her father, Karim Ahmed Filaih al-Janabi)

60. Baida Hamad Smair: (F, aged 11 years old) killed on 09.04.2004 bullet fired by a U.S. sniper, hit in the head and shoulder, which led to her death immediately. (Witness: her brother, Mustafa Hamad Smair).

61. Shaimaa Sami Ali Dawai: (F) killed on 12/4/2004 as a result of indiscriminate shelling of the U.S. region of Jbeil district while trying to flee with her family out of Fallujah, which led to her fatal Bczaia died on the track was cleared and buried in a cemetery Aldvar / Region Nuaimiya. (Witness: her father, Sami Ali Dawai)

62. Rajha Zaki Nuri: (F, child and at the age of 6 years) killed on 07.04.2004 as a result of U.S. military operations over an area still alive and buried in the cemetery of the martyrs (the stadium earlier). (Witness, and her father, Zaki Nuri Mohi)

63. Salwa Mohammed Mishaan Hussein: (F, at the age of 12 years) killed on 15/4/2004 as a result of indiscriminate bombing of U.S. troops on the Shuhada neighborhood, and the shelling hit Bczaia in various parts of the body, which led to her death in the case.

64. Hind Samir Khalil Ibrahim al-Mohammadi: (F) was killed during indiscriminate shelling of the U.S. city of Fallujah, and the fact that her injuries were serious and then not being able to transfer them to a hospital in Fallujah

because of the siege and constant shelling, so she died after a short time.

(Witness: Her father, Samir Khalil Ibrahim Al-Muhammadi)

65. Nabah Mohammed Hussein Farhan Jassim al-Issawi: (F, girl, age 3 years) killed on 10/4/2004 as a result of indiscriminate shelling of U.S. armored vehicles still alive during the flight of her family outside the city of Fallujah. Was buried in a cemetery outside the city of Fallujah Nuaimiya. (Witness: her father, Mohammed Hussein Farhan al-Issawi)

66. Zeinab Abd Khalifa Abdul Nassif: (F, a student at the primary stage) killed on 11/4/2004 and during the out of primary school by the safety of the U.S. sniper killed instantly, which inhabit the district of Hay al-Andalus / near the new bridge. (Witness, her father, Abd Khalifa Abdul Nassif)

67. Zahra Abdul Razak Ibrahim: (F) killed on 12/4/2004 as a result of indiscriminate shelling of a U.S. aircraft Rusafi neighborhood / near the city of games, due to military operations and to prevent access to the hospital in Fallujah has died from her injuries was buried in a cemetery in Fallujah, the new (the stadium formerly). (Witness: her father, Abdul Razak Ibrahim Abdul Latif Jassim Kubaisi).

68. Abdul Malik Rasheed Abd Alwan Alshgeri: (M, aged 33 years old) killed on 04.23.2004 during the indiscriminate shelling of civilians in the Jolan neighborhood by U.S. forces while trying to enter the city. (Witness: his cousin, Jassem Abd Alwan)

69. Ahmed Kurd Nayef al-Jumaili: (M) killed on 10/4/2004 by the bombing of his home in the neighborhood of three martyrs led to U.S. missiles destroyed the house and killed on the spot. (Witness: his brother, Ali Kurd Nayef al-Jumaili)

70. Mohammed Kurdi Nayef al-Jumaili: (M) killed on 10/4/2004 by the bombing of his home in the neighborhood of three martyrs led to U.S. missiles destroyed the house and killed on the spot. (Witness: his brother, Ali Kurdi Nayef al-Jumaili)

71. Suha Juma Obaid: (F) killed on 18.04.2004 during the indiscriminate bombing of U.S. troops to the area of Abdul Aziz al-Samarrai mosque in the neighborhood of Nazzal and that led to the killing on the spot as a result of severe injuries. (Witness: her father, Juma Obaid Fahd)

- 72. Ahmed Habib Kazim:** (M, and at the age of 30 years old) was killed on 8/4/2004 during the indiscriminate bombing of U.S. troops on the Shuhada neighborhood. (Witness: his mother, Farha Abd al-Saad)
- 73. Uday Faraj Sharmut al-Halbusi:** (M) killed on 07.04.2004 result of a deadly U.S. sniper shot in the head region, while U.S. troops try to storm the area still live. (Witness: his mother, Khnia Fadel Khdban al-Jumaili)
- 74. Walid Khalil Hassoun Mohammad al-Mohammadi:** (M), killed on 21.04.2004 as a result of penetrating his body with three shots from the machine before the American type (PKT) during a raid by U.S. forces on the Golan Heights area neighborhood. (Witness: his father, Khalil Hassoun, Mohammed al-Mohammadi)
- 75. Saif Bahjat Kurdi Nile Ali al-Jumaili:** (M) killed on 20/4/2004 as a result of Atlaqtin motorcycles for U.S. sniper led to his death on the spot in the Shuhada neighborhood near the mosque the prophets. (Witness: his cousin, Ali Kurdi Nayef al-Jumaili)
- 76. Bahjat Kurdi Neil Ali al-Jumaili:** (M) killed on 20/4/2004 as a result of penetrating 4 sniper shots from the U.S. led to his death on the spot in the Shuhada neighborhood near the mosque the prophets. (Witness: his brother, Ali Kurdi Nayef al-Jumaili)
- 77. Muhammad Ali Nawaf al-Jumaili:** (M) was killed on 15/4/2004 as a result of indiscriminate bombing by two missiles, the U.S. aircraft on his home in the neighborhood near the mosque the prophets, the martyrs. (Witness: his brother, Riad Ali Nawaf al-Jumaili)
- 78. Abbas Ibrahim Kamel Kazem Moussa Al-Khazraji:** (M, a child aged two years) were burnt during the indiscriminate shelling of U.S. aircraft on the Jolan neighborhood. (Witness, his father, Ibrahim Kamel Kazem Moussa al-Khazraji)
- 79. Ali Ibrahim Turki al-Mohammadi:** (M) killed on 24.03.2004 as a result of indiscriminate shelling of the U.S. aircraft on the area's military district. (Witness, his son, Laith Ali Ibrahim Turki al-Mohammadi)
- 80. Khalil Jihad Hummadi Freih al-Halbusi:** (M): burned completely killed with two of his friends were walking with him while they go shopping on 10/4/2004 but did not find them on the skeleton, to the origin had to add the

burning car near them, and this happened during the indiscriminate shelling of aircraft U.S. Golan area, cluster bombs and incendiary (napalm) in that day. (Witness: his brother, Ahmed Jihad Hummadi Freih).

81. Diah Khamis Aboud Hassan al-Mohammadi: (M) killed on 13.04.2004 by U.S. forces who stormed his house in the Jolan neighborhood representation of his body was a horrendous scale, confirmed the medical staff of the Jordanian hospital near Falluja that they could not portray his body to the severity of his body and were satisfied with representation snapped a picture of his face distorted in order to recognize his family, noting that the victim was the only member of the family who stayed at home to protect it from theft when he fled the entire family out of the city, when attempting to escape to join his family U.S. forces captured him, and then had him killed, and representation of his body. (Witness: his brother, Ali Khamis Abboud Hassan al-Mohammadi)

82. Samer Sttar Jubayr Farhan: (M, a child of 4 years old) was killed on 16/4/2004 when exposed to the rounds fired by U.S. forces in the neighborhood of the martyrs. (Witness: his uncle, Fizh Hamed)

83. Hamid Yassin Abboud Hammadi Issawi: (M) were killed by U.S. forces during his escape to his car outside the city of Fallujah and on the road to the area of Nuaimiya during the siege and military operations against the civilian population of Fallujah in April 2004.

84. Jalal Kazim Tali Majeed: (M, and at the age of 20 years (1984)) killed on 15/12/2004 when he was riding in a car with his friends, and U.S. troops opened fire from machine guns indiscriminately for securing the pass. And searched him and found his family in the refrigerator for forensic Yarmouk Hospital. (Witness: his father, Kazem Tali Majeed)

- **List of some the injured in the first battle (April, 2004):**

1. Alaa Karim Ahmed al-Janabi: (M) exposed to various wounds in his body as a result of indiscriminate shelling of U.S. aircraft to continue to live in the city of Fallujah on 8/4/2004. (Witness: his father, Karim Ahmed al-Janabi).

2. Ibrahim Hussein Allawi: (M) suffered gunshot wounds in the leg as a result of U.S. fire when he was trying to flee outside the city. (Witness: the victim)

- 3. Khaled Naji Saleh:** (M) has been injured as a result of indiscriminate shelling of the U.S. city of Fallujah during the month of April. (Witness: the victim)
- 4. Ahmed Khaled Naji Saleh:** (M, minor) have been hit by indiscriminate bombing the U.S. when he was trying to escape out of the city with his father, Khalid Naji Saleh. (Witness: his father, Khalid Naji Saleh)
- 5. Amal Ibrahim Rehan Aday al-Mohammadi:** (F, old women) was paralyzed half of her body as a result of the fall of the U.S. missile near her home and is now crippled and has no breadwinner for her family to the fact that her husband is dead. (Witness: the victim)
- 6. Zahir Mahmoud Mohammed Sudani Alshgeri:** (M) exposed to the edge of his legs amputated Monday because of his injury by American cluster bombs during the indiscriminate shelling of the Jolan neighborhood, and the victim was then going to the mall. (Witness: his father, Mahmoud Mohammed Sudani Alshgeri)
- 7. Uday Jassim Mohammed Khalaf al-Falahi:** (M, aged 25 years and works earner) suffered an injury to his body by U.S. forces on 19/4/2004 during the indiscriminate shelling of the Jolan neighborhood.
- 8. Zakia Ahmed Atia sttar Al-Rawi:** (F, 52 years old, a housewife) was hit with shrapnel still stable so far in the leg as a result of indiscriminate shelling of the U.S. district of martyrs, while trying to escape out of the city.
- 9. Hanin Zaki Nuri:** (F, child and at the age of 7 years old) was injured during the U.S. bombing on the neighborhood still. (Witness: Her father, Zaki Nuri)
- 10. Qais Ali Ibrahim Zaki al-Mohammadi:** (M) there were numerous injuries to his body and his neck and right arm and leg as a result of indiscriminate bombing of U.S. troops on the district's military, which caused him much suffering and lay several days in a hospital in Fallujah for several operations. (Witness: his brother, Laith Ali Ibrahim Zaki al-Mohammadi)
- 11. Khadir Abbas Owaid al-Halbusi:** (M) were injured during the shelling when the U.S. had intended to get out of his home outside the city and was wounded and broken in the left leg. (Witness: the victim)
- 12. Ismail Khalil Ibrahim Alshgeri:** (M, profession earner) sustained cuts and shrapnel in the right and left thighs and right leg and in the machine left by

the fall of a cluster bomb near his house in the Jolan neighborhood. (Witness: the victim)

13. Moueid Fadel Abbas Thabah al-Mohammadi: (M, profession earner) suffered multiple injuries in his body as a result of indiscriminate shelling of cluster bombs by U.S. warplanes on the Jolan neighborhood, on 10/4/2004. (Witness: the victim)

14. Mohammed Mahmoud Hussein: (M, aged 30 years old, occupation earner) was seriously injured shrapnelly as a result of indiscriminate shelling of U.S. aircraft at Sarai area on 7/4/2004. (Witness: the victim)

15. Thaer Ibrahim Ali al-Mohammadi: (M) suffered multiple injuries as a result of indiscriminate shelling of the U.S. aircraft on the military district on 03/24/2004. (Witness: his brother, Laith Ibrahim Ali al-Mohammadi)

16. Adel Mohammed Aboud Hamadi: (M, 28 years old, and Occupation earner) left hand was injured as a result of indiscriminate shelling of the U.S. aircraft on the Shuhada neighborhood on 9/4/2004. (Witness: the victim)

17. Thamer Karim Ahmed: (M) suffered multiple injuries in his body due to the indiscriminate shelling of the U.S. aircraft to continue to live on 8/4/2004. (Witness: his father, Karim Ahmed Filaih al-Janabi)

18. Jassim Mohammed Shihan Jawad al-Mohammadi: (M) exposed to infection in his body and hands, which prevented him from practicing his work or normal life because of the indiscriminate bombing of the U.S. aircraft on the Golan as of 9/4/2004. (Witness: the victim)

19. Rafaa Ali Ibrahim Turki al-Mohammadi: (F,) had a several injuries on her body led to a number of conducting operations in Fallujah hospital because of a fragments of the indiscriminate bombing of the U.S. aircraft on the military district on 24/4/2004. (Witness: her brother, Laith Ali Ibrahim Turki al-Mohammadi)

20. Khudair Hamad Abd Issa al-Halbusi: (M, aged of 54 years, occupation earner) suffered several wounds and shrapnel in the thigh with a broken bone phalanx first of thumb right due to indiscriminate bombing by U.S. forces into the Jolan neighborhood, on 04/05/2004, has resulted in injury, disability and slow walking, bearing in mind that the breadwinner for a family of 15 people. (Witness: the victim)

21. Ahmed Obaid Araimt (M, 33 years old, and the profession earner) has suffered several shrapnel in the head to make it feel a severe headache and pain Mstmrien as a result of being subjected to indiscriminate shelling of the U.S. aircraft using cluster bombs on the Jolan neighborhood, on 14/4/2004. (Witness: the victim)

- **List of some of the detainees, arbitrary and exposed to brutal torture:**

1. Brothers, Maoloud, Faisal, Jamal, Abdul Razzaq, Muhannad, Mohammed Abdul Karim Moses, Tarek Qasim Abdul Karim Mousa, and Ahmad Abdul Salam Hamad: were arrested on Friday, 16/4/2004 when they want go out of Fallujah due to the indiscriminate shelling of the U.S. aircraft during a military siege. The detainees were taken to the site, U.S. military (SCANIA in past) in the area of Abu Dshir to spend the session in Baghdad. Where detainees were tortured without any charge only because they are from Fallujah and the various kinds of torture, which was its highest deprivation of drinking water for 13 days until they came to the brink of death. And then were released on 30/4/2004.

2. Hamid Rashid Arafoj al-Mohammadi: (M, professional wage earner, lives in the area Alazarkip / Fallujah) was arrested by U.S. forces raided his house one night on 31/1/2004 origin had to add to the arrest of his brethren with him (Amer Thamer, Youssef Hamid, Adel) And although the to the son of his brother by two Hamid Rashid, and without any apparent reason to suspect Vtm only took them to the U.S. base near Fallujah (former presidential farm) where they were placed in a small cell is not enough to sit but to stand alone. American soldiers beat them every now and then sticks with profanity and insults and cursing. Were then transferred to Abu Ghraib prison, where he was treated brutally style was Altattiyec starvation, and the fees and stress the psychological and physical beatings of prisoners with the occasional and the other by wooden sticks and plastic. At the end of the investigation did not prove any charge he released them released on 05/21/2004. Note that the families of These detainees were left throughout the period of detention without breadwinners for their families throughout this

period. (Witness: the victim himself with Thamer Rashid Arafoj, Yousef Rasheed Arafoj, Amer Rashid Arafoj, and Muthanna Rashid Arafoj)

3. Ammar Mohammed Nawaf al-Mohammadi: (M) were seen during the arrest the same period a prisoner above (Hamid Rashid Arafoj al-Mohammedi), which is under savage torture in the hands swollen for a long time because the Americans, tying his hands on a piece of iron highly the head of the victim and a long period caused this tumor and could not be the victim on hanging a period of four consecutive days without interruption, and the American soldiers put the tablets in the mouth of the victim nutritious Kngvep throughout this period. When traced in the cell with the witness was being fed and eating needs by his colleagues in the cell to its failure to raise his hands, and told his colleagues in the cell that Americans were beating him every now and then, especially the American officer named Huston and who has been responsible for torture, beatings, and had bruises and a clear Jsmhougeh. (Witness: Hamid Rashid Arafoj Mohammadi, brother of the victim, Basil Mohammed Nawaf)

4. Mohammed Khamis Saleh Ali al-Halbusi: (M) was arrested on 2/11/2003 by U.S. forces, where they raided his home in the eleventh hour of the night, using all methods of terror and intimidation with him and his family was severely beaten in front of his family without any reason, with sabotage House and the theft of 37000 U.S. dollars to the origin had to add kilo and 800 grams of gold returns to his mother and sisters Loyalty hunting rifles and two to connect to the cell phone. Detainee has been moved to the U.S. camp near Fallujah and the farm abandoned the presidential race, the victim remained there for 9 days without water, but eat a few biscuits with a small daily to keep him alive. And kept his hands strapped to the back wig four days, with continuous torture by beating with hands, sticks and pieces of iron (pipes) with hands tied to Puri highly his head, and the American soldiers with the constant beating of the victim may have urinated on him during the investigation, especially the American officer named (topsen) delicious link the victim the high-iron column and start beating him and torturing him with great strength and hardness. After these nine days of torture, were transported the victim to the Abu Ghraib prison in Baghdad for a given number in the calculator prisoners the U.S. military and the number is 152 930 and put in the cells of the sanctions out heavy sentences heavy-called Vajlent

(vagrant) and Bakdy the term of 6 months and a half months, During this period, clothes were a T-shirt with an arm or a short summer plus Bejamma with a blanket number 2 light fish. And the start of torture by U.S. soldier called Marcelt (marklet), which was hit the small and large age-old normalize. This was a F, soldier snapped normalize the victim above and twice daily to the prison yard to his hands tied, you spelled kicked and beaten. He was then transferred to the quarries of torture that were seen through the television channels about the torture at Abu Ghraib prison, where they hit the wall his head, causing him to lose consciousness for long periods and then stripped naked for three days, and poured water on him with beatings with iron. During the torture they were asking him to recognize that within the armed resistance and despite the denial and give evidence to prove his innocence, but they were reluctant to admit it, even a lie to stop the torture. The victim remained in the quarry area of the meter and a half wide and two and a half meter in length, and without light, without water to serve its needs. He remained in this quarry for 34 days has been exercised by the torture by U.S. soldiers Renhar Dobob and Joyner. After this period, transferred to a new section in the prison called Prafua (bravo), where the start of psychological torture in this new quarry through to tell him they brought his family to the prison normalize. They were then transferred to the Department of the light sentences to be released later, when he emerges from prison found the victim that he was expelled from college for being absent all this time, the purest to the results of physical and psychological torture that destroyed his future. (Witness: the victim)

5. Ahmed Mohamed Abdul Sattar: (M) at 12 o'clock at night on 28/05/2004 by U.S. forces arrested him when he found U.S. troops had occupied his house in Fallujah to spend on the vine. Victim remained detained at the U.S. camp near Fallujah (the farm of the presidency) for 16 days without any charge or apparent reason, a handcuffed and blindfolded, in a narrow cell is not suitable for the parking of human beings. After his release, he found his house had been torn scattered furniture and clothing the family and the destruction of food during their stay in the house for two days as told by people who have lived the horror for the presence of these forces among them. (Witness: the victim)

6. Abdul Karim Hamad Aivan Al-Mohammadi: (M, Rusafi school student, and at the age of 16 years old) was arrested with his father (Aivan Hamad Abdul)

Rahim and his brother by U.S. troops on 17/3/2004 when suddenly break into his house before them and their house during a search of breaking down doors and smashing furniture. It was launched together with their dogs free on the family where the dogs some of the victim Rahim from his shoulder. And then placed the bags on their heads during take them to detention, where they were taken to the U.S. camp near Fallujah (farm presidential) and then to the airport prison in Baghdad, where they were placed in a cage length and a half meters and display meters and one without allowing them to sit or sleep that took him to investigate . Initiated by asking the victim where the investigator, what are the charges? The investigator replied: I do not know why Atgulwk. The victim was tortured during this period he was a detainee through the airport from the beatings and denial of food and drink with him or even go to the toilet in the toilet. The prisoner did not know day from night and is running conditioning cooling times in the cold. While a witness and father of missing teeth, plucking the beard and flaying legs and parties to other prisoners by interrogators Americans did, either the victim Hamad Aivan Abdullah has put in a coffin, a restricted legs, hands and the bag in his head for 9 days, it was forbidden for food, water and sleep for 4 consecutive days. When you take him to achieve was insulted and beaten and placed in front of cold water poured over him profusely, even if he fainted They were viciously beaten. After two and a half of torture victims came out on 05/28/2004. (Witness: All three of the victims)

7. Diah Rahim Fazel al-Obeidi (M) was arrested on 8/12/2003 by U.S. forces at the intersection of Amiriyat Falluja, where a transfer to the U.S. and several camps and brutally treated in a manner to end up in prison Basra (Puke) Boker. Mmarst were several types of torture such as beatings against him, blindfolded and hands tied and legs, and was witness to the practice of citizenship by U.S. soldiers against Iraqi prisoners and detainees in the prison. Witnessed these crimes with the prisoner (Fawzi collected Kubaisi), which holds the records of 155 517 within the U.S. authorities at the prison. The victim have been released on 4/6/2004 after 6 months of brutal torture. (Witness: the victim)

8. Naji Aboud Farhan: (M, working in the lab flour) was arrested from his home in the Andalus district, near the old cemetery on 12/11/2003 and brutally been taken to the U.S. camp near the city of Fallujah (farm presidential) terms of

the development in the quarry is very narrow and bag covers his head. It is then taken to Abu Ghraib prison in the same way and treatment to keep them under torture and to investigate false charges until his release on 06/03/2004. (Witness: the victim)

9. Sabar Abbas Merhi: (M, profession earner) on 11/11/2003 was arrested by U.S. forces when a raid has to swallow, located in the district of Andalusia, where the arrest was brutally smashed the doors at three in the morning. Vtm to take him to the U.S. camp near Falluja (farm presidential) is handcuffed and his head covered with the bag, and there he was tortured and put in a quarry in a small where he remained for 12 days caused a tumor in different parts of the body, while other detainees (Naji Aboud Farhan Ahmed Hamad Ali).

10. Ali Salman Shargy Hamad Al-Fallahy: (M, professional wage earner, and lives in the neighborhood of the city of Falluja, April 7) U.S. forces arrested him on 12/6/2003 when he was passing on a street in the city of Baghdad and saw one person dead on the road tried to help him with some people who visitor in the region in order to transmit it to the hospital, U.S. forces came, arrested the victim with all of this was the place. Were tortured victim jailed airport and than transferred to the prison Basra (Puke) and then the Abu Ghraib prison with the same practices and torture that led to the deformation of his right hand and the loss of the right eye. (Witness: the victim).

11. Ibrahim Mohammad Mutlaq: (M, has a family of three children, two of whom were handicapped with hearing loss, speech, live in Saqlawiyah) had arrived to the area of district teachers in Fallujah, to visit relatives, but he was surprised by U.S. forces cordoned off the scene and arrested all of it. With his hands tied and a bag on his head and was taken to the U.S. camp near Fallujah (the farm of the presidency), where he remained in this camp for 10 days brought to bear against him different kinds of torture, cruelty and starvation for subjecting the victim to extreme cold and the survival of the bag on his head for a week, and after lifting of the bag placed in the quarry made of wood, which is not known length of the display of the intensity of the darkness and cruelty of the cold, where he was left without clothes and without a mattress lying on the ground for ten days. And then transferred to Camp A special U.S. forces to stay three days with a tougher interrogation techniques and the development. He was then transferred

to Abu Ghraib to give a figure (US9IZ-153133) uic-wys7y2, and throughout his stay in the prison was continuing to insult and humiliation and cruel treatment and severity of cold and hunger that it was released on 22/3/2004. (Witness: the victim).